

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5127 of 2018

Arising Out of PS.Case No. -123 Year- 2017 Thana -KURTHA District- JEHANABAD

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1. Usha Devi, Wife of Ashok Ram, Resident of Village Badka Gaun
(Pondil) P.S. Kurtha, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 02-02-2018

Heard both sides.

The petitioner apprehends her arrest in Kurtha P.S.
case No. 123 of 2017 for the offences punishable under Section
447, 323, 504/34 of the Indian Penal Code and under Section
25(1-B) a/26 of the Arms Act.

The informant alleged that Ashok Ram and his wife,
Usha Devi, the petitioner, were ploughing their land with spade.
When the informant enquired Ashok Ram and his wife began to
abuse. Ashok Ram took out pistol from his waist but the informant
caught him and snatched the pistol.

The learned counsel for the petitioner submits that
petitioner is wife of Ashok Ram and there is no allegation of
assault against her. No arms or ammunition was recovered from



the possession of the petitioner.

It appears that petitioner being wife of Ashok Ram was ploughing the land but there is no allegation that petitioner assaulted the informant or any arms or ammunition was recovered from the possession of the petitioner.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner above named in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in connection with Kurtha P.S. case No.123 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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